


Resource Guide for Respondents

This brochure provides education, guidance, and resources for a responding party of sexual harassment, which includes sexual violence, sexual assault, domestic violence, dating violence, and stalking, as well as for friends, family, and those working to respond.



The Dustdevil community prides itself on an educational and working environment that is conducive to the personal and professional development of all its students and employees. As such, TAMIU strictly prohibits all forms of sex discrimination, sexual harassment (**which includes sexual violence, sexual assault, domestic violence, dating violence, and stalking**), and related retaliation.

Respondents Have a Right To:

- ◆ Be heard, not be judged, and feel safe.
- ◆ Be treated with respect and dignity.
- ◆ Be informed of and have access to campus resources.
- ◆ A prompt, equitable, and impartial process.
- ◆ Timely written notices of alleged violations within the complaint, including the nature of the violation and possible sanctions.
- ◆ Provide relevant evidence and witnesses.
- ◆ Ask questions. Receive guidance, assistance, and resources.
- ◆ Receive confidential counseling (see page 2).
- ◆ Be informed of the outcome of the investigation.
- ◆ Be accompanied by an advisor of their choosing throughout the process.

MYTH:
Domestic violence/abuse, whether physical, sexual, emotional, economic, is a private family matter.

TRUTH:
Violence, in any form, is everyone's issue. **No one** deserves to be abused, under any circumstance.

HEALTHY RELATIONSHIP

No Violence • No Threats • Respect • Trust • Honesty • Support • Shared Responsibility • Accountability • Responsible Parenting • Economic Partnership • Negotiation • Fairness • Equality

KNOW IT'S NOT RIGHT

CONSENT – Clear, voluntary and ongoing agreement to engage in a specific sexual act. Persons need not verbalize their consent to engage in a sexual act for there to be permission. Permission to engage in a sexual act may be indicated through physical actions rather than words. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent. (*System Regulation 08.01.01, Civil Rights Compliance*)

SEXUAL ASSAULT – An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting program. [34 CFR 668.46(a)] (*System Regulation 08.01.01, Civil Rights Compliance*)

DOMESTIC VIOLENCE – A felony or misdemeanor crime of violence committed by: (a) a current or former spouse or intimate partner of the victim; (b) a person with whom the victim shares a child in common; (c) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (e) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. [34 CFR 668.46(a)] (*System Regulation 08.01.01, Civil Rights Compliance*)

DATING VIOLENCE – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition: (1) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (2) Dating violence does not include acts covered under the definition of domestic violence. [34 CFR 668.46(a)] (*System Regulation 08.01.01, Civil Rights Compliance*)

STALKING – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (a) fear for the person's safety or the safety of others; or (b) suffer substantial emotional distress. For the purposes of this definition: (a) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (b) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim. (c) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. [34 CFR 668.46(a)] (*System Regulation 08.01.01, Civil Rights Compliance*)



IT'S TIME • TO TALK ABOUT IT • TO END IT

What To Do If You Are A Respondent

Attend TAMIU Scheduled Meetings

It is important that you attend scheduled meetings with TAMIU officials to share your response to allegation(s).

Seek Counseling

Confidential counseling is available to students and employees via services below. Other resources are listed in this brochure and a comprehensive list is available online on the TAMIU Title IX webpage ([www.tamtu.edu/compliance/Title IX.shtml](http://www.tamtu.edu/compliance/Title_IX.shtml)) under RESOURCES.

TAMIU Student Counseling & Disability Services

(956) 326-2230 | Zaffirini Success Center 138

Employee Assistance Program (EAP)

1-888-993-7650

Follow Up with Title IX Coordinator

Follow up regularly with the Title IX Coordinator for status updates of the process.

Avail Yourself to Information & Resources

TAMIU Title IX Webpage

[www.tamtu.edu/compliance/Title IX.shtml](http://www.tamtu.edu/compliance/Title_IX.shtml)

TAMIU Rule 8.01.01.L1, *Civil Rights Complaint and Appeal Process*

<https://www.tamtu.edu/compliance/TAMIURulesSAPs.shtml>

Title IX for All

<https://www.titleixforall.com>

Student Handbook

<http://www.tamtu.edu/scce/studenthandbook.shtml>

Student Safety Guide

<https://www.onlinecolleges.net/for-students/student-safety>

DOMESTIC & DATING VIOLENCE

(aka Relationship Violence or Family Violence)

It is a crime for any person to cause physical injury or harm to another person, even if that person is a member or former member of the family or household, or if the person is someone with whom there is or had been a romantic or intimate relationship.

PROTECTIVE ORDER

A protective order is a free court order issued to protect someone from violence or threats of violence. The police can arrest a person for violating a Protective Order. A Protective Order mandates a person to:

- ◆ not commit further acts of violence.
- ◆ not hurt or threaten the other person.
- ◆ not harass the other person directly or indirectly.
- ◆ not contact the other person or go near them, their children, other family members, their home, where they work, or their children's school.
- ◆ not have a gun or a license to carry a gun.

The police can assist with filing a Protective Order through the District Attorney's Office (956-523-4900). There is no cost to the victim/survivor for filing.

IT CAN HAPPEN TO MEN

Sexual violence, sexual assault, rape, domestic violence, dating violence, stalking, etc. can happen to anyone, including men. A man can be victimized by a stranger, family member, or someone he knows/trusts. However, male cases go vastly unreported due to stigma related to sexuality and masculinity and concern over medical procedures and telling others.

As a community, we must work to combat and change these attitudes and support those seeking assistance.

No One
Deserves To Be Abused.

TAMIU's Administrative Process

With regard to criminal acts of sexual violence, sexual assault, domestic violence, dating violence, and stalking, TAMIU's Title IX administrative process for responding is different and separate from the criminal process followed by police (University or local police).

A victim/survivor is not required to file a report with police but is strongly encouraged to do so. And in addition to or in lieu of filing a report with police, a victim/survivor can file a report with the Title IX Coordinator as indicated below. Regardless of whether or not a victim/survivor files a report with police, TAMIU is responsible for following up on all Title IX reports (sex discrimination, sexual harassment, sexual violence, etc.)

| IF ALLEGED OFFENDER IS: | REPORT INCIDENT TO: |
|---|---|
| <ul style="list-style-type: none"> ◆ Non-Faculty Employee ◆ Third Party ◆ Student ◆ Student Athlete | <p>Lorissa M. Cortez Director of Equal Opportunity & Diversity Title IX Coordinator 956-326-2857 KLM 159B TitleIX@tamiu.edu</p> |
| <ul style="list-style-type: none"> ◆ Faculty Member | <p>Dr. Kevin Lindberg Associate Provost Title IX Deputy Coordinator 956-326-2601 KLM 332B klindberg@tamiu.edu</p> |

RECOGNIZING ABUSIVE BEHAVIOR

An abusive relationship exists if a partner does EVEN ONE of the following:

- ◆ Embarrasses the partner with bad names and put-downs
- ◆ Looks at the partner or acts in ways that scare the partner
- ◆ Controls what the partner does, who they see, who they talk to, or where they go
- ◆ Keeps the partner from seeing or talking to friends or family
- ◆ Takes the partner's money or Social Security, makes them ask for money, or refuses to give them money
- ◆ Makes all the decisions
- ◆ Tells the partner that they are a bad parent and/or threatens to take away or hurt their children
- ◆ Acts like the abuse is no big deal, that it's the partner's fault, or even denies doing it
- ◆ Destroys the partner's property or threatens to kill their pets
- ◆ Intimidates the partner with guns, knives, or other weapons
- ◆ Shoves the partner, slaps them, hits them, or chokes them
- ◆ Pressures the partner to perform sex acts, sexually assaults them, or displays sexually harassing behavior
- ◆ Forces the partner to drop charges
- ◆ Threatens to commit suicide
- ◆ Threatens to kill the partner

WHAT HAPPENS AFTER A REPORT IS MADE?

When a report is filed with TAMIU, interim assistance and/or protective measures will be provided (see below) and a trained investigator may be assigned to the case. The investigation and resolution process is prompt, thorough, and equitable for all parties. The standard used to determine the merits of a report is the preponderance of evidence (i.e., more likely than not that misconduct occurred). Both parties are informed in writing of the outcome and may appeal on limited grounds.

INTERIM ASSISTANCE & PROTECTIVE MEASURES

TAMIU provides both parties and witnesses interim assistance and/or protective measures (such as contact restrictions, alternative work or housing arrangements, academic adjustments, counseling services, police escort) at the victim's/survivor's request or as reasonably necessary. Requests can be made with the Title IX Coordinator or Director of Student Conduct & Community Engagement.

POSSIBLE SANCTIONS

Pending investigation, appeal, or final resolution, the accused may be temporarily placed on administrative leave, suspended, reassigned, or placed in another temporary status. Depending on student or employee status, final sanctions may include written reprimand, required training or counseling, employment termination, community service, "no contact" order, academic suspension, conduct probation, and expulsion.

CONFIDENTIALITY & PRIVACY

The confidentiality of information received and the privacy of individuals involved will be limited to those with a reasonable need to know and kept private to the greatest extent possible.

Requests to withhold names (reporter, accused, others affected) or requests not to investigate or seek action will be considered in the context of TAMIU's duty to provide a safe and non-discriminatory work and educational environment. Although such requests may limit TAMIU's ability to respond and provide interim assistance or protective measures, TAMIU will do so to the greatest extent possible.

Counseling & Other Support Services

You are not alone. A comprehensive list of support services is available online on the TAMIU Title IX webpage (www.tamtu.edu/compliance/Title IX.shtml) under the RESOURCES tab.

Legal Support

- TAMIU Police Department
956-326-2100 | KLM 005

**ON
CAMPUS**

Medical Services

- TAMIU Student Health Services
956-326-2235 | STC 125

Counseling

- TAMIU Student Counseling & Disability Services
956-326-2230 | ZSC 138 (*confidential counseling*)
- TAMIU Community Counseling Center
956-326-3120 | CH 205A

Support

- TAMIU Police Department
956-326-2100 | KLM 005
- TAMIU Title IX Coordinator
956-326-2857 | KLM 159B
- TAMIU Student Conduct & Community Engagement
956-326-2265 | STC 226
- TAMIU Housing & Residence Life
956-326-1300 | RLC
- TAMIU Financial Aid
956-326-2225 | ZSC 214

**OFF
CAMPUS**

Legal Support

- Laredo Police Department
Dial 911
- Laredo Police Department
Crime Victim Liaison (*Crime Victims Compensation Program*)
956-795-2939 | 4810 Maher Ave. (LPD Annex)
- District Attorney's Office
Protective Orders & Domestic Violence Unit
956-523-4900 | 1110 Victoria St., Suite 401
- Texas Rio Grande Legal Aid (TRLA)
956-718-4600 | 1-800-369-2741 | 1702 Convent Ave.
- Family Violence Legal Line
1-800-374-HOPE (4673)
- Sexual Assault Legal Hotline
1-888-296-SAFE (7233)

Medical Services

- Doctors Hospital (*sexual assault crisis facility*)
956-523-2000 | 10700 McPherson Rd.

Counseling

- TAMIU Employee Assistance Program
1-888-993-7650 (*confidential counseling*)

Advocacy & Support

- SCAN (Serving Children & Adolescents in Need)
956-724-3177 | 1605 Saldana Ave.
- National Domestic Violence Hotline
1-800-799-SAFE (7233)
1-800-787-3224 (hearing impaired)
- Texas Abuse Hotline
1-800-252-5400
- National Suicide Prevention Lifeline
1-800-273-TALK (8255)

NORMAL FEELINGS & REACTIONS OF A RESPONDENT

Impact on Daily Life • Feeling Alone • Anger • Fear •
Overwhelmed • Emotional Shock • Denial • Distress •
Loss of Control • Powerlessness • Shame • Embarrassment

No One Deserves To Be Abused.

HELP A FRIEND OR FAMILY MEMBER

Sexual violence, sexual assault, and relationship violence are very real, complex, and disturbing issues. Here is what you can do to help and support a respondent.

- ♦ Listen from your friend's point of view and be supportive.
- ♦ Accept your friend as a person, even if you have questions about your friend's behavior.
- ♦ Provide an atmosphere where your friend can express honest feelings.
- ♦ Be honest with your friend about how much support you can provide.
- ♦ Help your friend generate alternatives and options for dealing with emotions and the situation.
- ♦ Let your friend make the ultimate decision about how to respond.
- ♦ Realize you may also be affected and seek counseling if necessary.

NON-CITIZEN VICTIMS OF DOMESTIC VIOLENCE

U.S. law protects individuals in domestic violence situations, including non-citizens, and creates relief for victims so that abusers cannot use the victim's immigration status to prevent them from calling police or seeking safety. Visit www.uscis.gov for information. Mexican citizens can obtain, information, guidance, and support at the Mexican Consulate in Laredo, 1612 Farragut Street, (956) 723-0990, consul@srelaredo.org.

International students or employees on visas who are victims and who have questions about their visa status may contact the TAMIU International Engagement Office (ext. 2282) or the Human Resources Office (ext. 2365), respectively.